

REMARKS

Initially, Applicant would like to express appreciation to the Examiner for the detailed Official Action provided, for the indication that the drawings are acceptable, for the acknowledgment of Applicant's Information Disclosure Statement by return of the Form PTO-1449, and for the acknowledgment of Applicant's Claim for Priority and receipt of the certified copy of the priority document.

Applicant acknowledges with appreciation the indication that claim 4 contains allowable subject matter, on page 6 of the Official Action.

Upon entry of the above amendments, claim 1 will have been amended, and claims 5 and 6 will have been submitted. Claims 1-6 are currently pending. Applicant respectfully requests reconsideration of the outstanding objections and rejections, and allowance of all the claims pending in the present application.

Applicant notes that claim 5 contains the subject matter of previous claim 4, which the Examiner has indicated as being allowable. Accordingly, Applicant respectfully requests an early indication of the allowance of claims 5 and 6.

On pages 2-4 of the Official Action, claims 1 and 2 were rejected under 35 U.S.C. § 102(e) as being anticipated by MIZUGUCHI et al. (U.S. Patent Application Publication No. 2003/0072085).

Applicant respectfully traverses the rejection of claims 1 and 2 under 35 U.S.C. § 102(e).

Claim 1, as presently amended, includes, inter alia, “said negative first lens group consists of a negative meniscus lens element having the convex surface facing toward said object”. Applicant submits that MIZUGUCHI et al. lacks any disclosure of a negative first lens group having *only* a negative meniscus lens element. In this regard, Applicant notes that the first lens group G1 of MIZUGUCHI et al. includes three separate lens elements L11, L12 and L13.

Applicant also submits that dependent claim 2, which is at least patentable due to its dependency from claim 1, for the reasons noted above, recites additional features of the invention and is also separately patentable over the prior art of record.

Applicant respectfully submits that the rejection of claims 1 and 2 under 35 U.S.C. § 102(e) is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of these claims.

On pages 4-6 of the Official Action, claims 1 and 3 were rejected under 35 U.S.C. § 102(b) as being anticipated by GOOSEY (U.S. Patent No. 6,377,404).

Applicant respectfully traverses the rejection of claims 1 and 3 under 35 U.S.C. § 102(b).

Claim 1, as presently amended, includes, inter alia, “said negative first lens group consists of a negative meniscus lens element having the convex surface facing toward said object”. Applicant submits that GOOSEY lacks any disclosure of a negative first lens group having *only* a negative meniscus lens element. In this regard, Applicant notes that the first lens group 12 of GOOSEY includes three separate lens elements 101, 102 and 103.

Applicant further submits that GOOSEY does not disclose first, second and third lens groups as recited in claim 1. In this regard, Applicant notes that GOOSEY discloses only two lens groups 12 and 14.

Applicant also submits that dependent claim 3, which is at least patentable due to its dependency from claim 1, for the reasons noted above, recites additional features of the invention and is also separately patentable over the prior art of record.

Applicant respectfully submits that the rejection of claims 1 and 3 under 35 U.S.C. § 102(b) is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of these claims.

COMMENTS ON REASONS FOR ALLOWANCE

In regard to the Examiner's indication of allowable subject matter in claim 4 on page 6 of the Official Action, Applicant does not disagree with the Examiner's indication that the prior art fails to teach various features of the claim. However, Applicant wishes to make clear that the claims in the present application recite a combination of features, and that the patentability of these claims is also based on the totality of the features recited therein, which define over the prior art. Thus the reasons for allowance should not be limited to those mentioned by the Examiner.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

Any amendments to the claims that have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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